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In re Application of

VU *et al*

Application No.: 10/552,306

PCT No.: PCT/US04/11007

Int. Filing Date: 09 April 2004

Priority Date: 09 April 2003

Atty. Docket No.: 10274-156US1

For: Triazolo (1, 5-A) Pyrimidines &
Pyrazolo (1, 5-A) Pyrimidines and
Methods of Making and Using The
Same

NOTIFICATION

This application is before the Office of PCT Legal Administration for consideration of matters relating to 35 U.S.C. 371.

BACKGROUND

On, 09 April 2004, applicant filed International Application No. PCT/US04/11007 which claimed a priority date of 09 April 2003, and which designated the United States. The international application named three inventors as applicant for the United States.

The deadline for submission of a copy of the international application (unless previously communicated by the International Bureau) and payment of the basic national fee was set to expire 30 months from the priority date, i.e. 09 October 2005.

On, 07 October 2005, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*: the basic national fee

On, 15 June 2006, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENT UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration of the inventors was required.

On, 25 September 2007, applicant filed a Submission of Missing Parts of Application which was accompanied by, inter alia, Combined Declaration and Power of Attorney.

On, 05 December 2007, the United States Designated/Elected Office (DO/EO/US) issued a NOTIFICATION OF ACCEPTANCE...UNDER 35 U.S.C.371 and 37 C.F.R. 1.495 (Form PCT/DO/EO/903) indicating that the application had been accepted into the national stage under 35 U.S.C. 371 and had a 35 U.S.C. 371 (c) (1), (2), and (4) date of 25 September 2007.

DISCUSSION

A review of the application file reveals that applicants have not submitted an acceptable declaration of the inventors. The declaration filed during the international stage is unacceptable in that it appears to be a composite of portions of multiple separate declarations. Therefore, in view of the fact that applicants have not submitted a declaration in compliance with 37 CFR 1.497, the Form PCT/DO/EO/903 was issued in error.

Applicants must submit either a complete single declaration executed by all inventors or complete separate declarations as executed by the individual inventors.


CONCLUSION

For the reasons above, NOTIFICATION OF ACCEPTANCE mailed 05 December 2007, is hereby **VACATED**.

This application is being returned to the DO/EO/US for further processing including the issuance of a NOTICE OF DEFECTIVE RESPONSE (Form DO/EO/916) requiring a new declaration.



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